

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 13-20285
Honorable Thomas L. Ludington

JUAN HERNANDEZ, Sr,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING
DEFENDANT'S PLEA OF GUILTY AS TO THE INFORMATION, AND TAKING THE
RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

A plea hearing was conducted on April 18, 2013, by United States Magistrate Judge Charles E. Binder pursuant to Defendant's consent. The magistrate judge issued his report the next day, recommending that this Court accept Defendant's plea of guilty as to the information. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 9, is **ADOPTED**.

It is further **ORDERED** that Defendant's plea of guilty as to the information is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 7, is taken **UNDER ADVISEMENT**.

Dated: May 8, 2013

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 8, 2013.

s/Tracy A. Jacobs
TRACY A. JACOBS